



February 11, 2021

MR. JEFFREY DANKO
JOHNSON CONTROLS, INC
5757 N. GREEN BAY AVENUE
MILWAUKEE, WI 53209

MR. SCOTT WAHL
TYCO FIRE PRODUCTS LP
1 STANTON STREET
MARINETTE, WI 54143

SUBJECT: Potable Well Cycle 11 Evaluation Response
JCI/Tyco FTC PFAS, 2700 Industrial Parkway South, Marinette, WI
JCI/Tyco Stanton (PFAS), 1 Stanton Street, Marinette, WI
JCI/Tyco Biosolids (PFAS), Multiple Landspreading Fields, Marinette, WI
BRRTS #02-38-580694, 02-38-581955, and 02-38-583856

Dear Mr. Danko and Mr. Wahl:

On November 23, 2020, the Wisconsin Department of Natural Resources (DNR) directed Johnson Controls, Inc. and Tyco Fire Products LP (JCI/Tyco) to review the potable well sampling results for per- and polyfluoroalkyl substances (PFAS) that were collected to date for JCI/Tyco's open site investigations listed above. DNR directed JCI/Tyco to compare potable well sampling results to the Wisconsin Department of Health Services' (DHS) recommended groundwater standards that were issued on November 6, 2020 ("Cycle 11"), and for JCI/Tyco to take specific actions based on that evaluation. Those actions included providing an alternative water source to any residence with an exceedance based on Cycle 11 recommendations and providing a plan to sample any potable well that has not been tested for all 36 PFAS¹ so that the Cycle 11 evaluation could be completed on these wells.

The DNR's November 23, 2020 direction to JCI/Tyco and the requirements in this letter are needed to make sure that drinking water is safe. To date JCI/Tyco has relied heavily on sample results from potable wells to define degree and extent of contamination, but this is not compliant with the law. JCI/Tyco is reminded that groundwater samples collected from NR 141 compliant monitoring wells and compared to the Cycle 11 PFAS recommendations are required to make regulatory decisions on degree and extent of contamination under ch. NR 716 Wis. Admin. Code. Future Site Investigation Work Plans submitted by JCI/Tyco must address this regulatory requirement.

On December 16, 2020, JCI/Tyco issued a response with their evaluation of potable well sample results compared to the Cycle 11 recommended standards and a plan for sampling potable wells not tested to date for all 36 PFAS.

¹ Cycle 11 includes recommended standards for 12 individual PFAS and six combined PFAS. The 18 analytes are included in the list of 36 PFAS that JCI/Tyco is required to report.

JCI/Tyco's Cycle 11 Evaluation

- BRRTS 02-38-583856 (Biosolids): All of the 183 potable wells JCI/Tyco sampled in the biosolids study area were analyzed for the list of 36 PFAS and JCI/Tyco was able to complete the Cycle 11 evaluation. DNR concurs with the findings of JCI/Tyco's Cycle 11 analysis at this site, including the provision of an alternative water supply to three additional well owners.
- BRRTS 02-38-581955 (Stanton): JCI/Tyco responded that all remaining potable wells they sample are associated with the Fire Technology Center (FTC) site.
- BRRTS 02-38-580694 (FTC): Of the 172 potable wells JCI/Tyco has sampled for the FTC site, JCI/Tyco only reported 36 PFAS for eight wells as of the date of the response. DNR concurs with the findings of JCI/Tyco's Cycle 11 analysis for the eight potable wells.

JCI/Tyco's Plan for Sampling Potable Wells for 36 PFAS

JCI/Tyco has not completed the required Cycle 11 evaluation for all 172 potable wells they sample for the FTC site because 36 PFAS were analyzed for only eight of the wells. In the December 16, 2020 response, JCI/Tyco stated that they would offer to sample the remaining potable wells and analyze for 36 PFAS; however, the sampling schedule would not deviate from the current monitoring schedule. In effect, all 172 potable wells would not be sampled and analyzed for 36 PFAS until winter of 2022.

During the week of January 25, 2021, following concerns raised during a January 19, 2021 listening session hosted by the DNR, JCI/Tyco mailed a postcard to residents in the potable well sampling program offering an "optional" sampling appointment to have their wells tested for 36 PFAS. JCI/Tyco also explained that overall participation in potable well sampling has diminished from initial sampling efforts. In accordance with Wis. Admin. Code NR § 714.07, JCI/Tyco must conduct all necessary public participation and notification activities that promote effective and meaningful public participation. Future outreach to engage participation in the sampling program must include specific language to explain the importance and purpose of testing for 36 PFAS.

Requirements

The DNR does not approve of JCI/Tyco's proposed schedule and approach to obtain samples from all potable wells that have not been sampled to date for 36 PFAS. JCI/Tyco must complete the following as conditions of approval of the sampling plan.

Per Wis. Admin. Code § NR 714.07, by February 26, 2021, the DNR directs JCI/Tyco to provide additional written notification to residents whose potable wells have not been sampled for all 36 PFAS. The notification must request access for sampling, explain that DNR directed JCI/Tyco to sample the wells, and explain that testing for 36 PFAS allows JCI/Tyco to compare the results to the Cycle 11 recommended standards and identify households that need an alternative water supply to be protective of human health. The notification must also include contact information (email and phone number) for Brita Kilburg-Basnyat at DHS (608-266-2817, Brita.KilburgBasnyat@dhs.wisconsin.gov) and Alyssa Sellwood at DNR (608-622-8606, Alyssa.Sellwood@wisconsin.com). A copy of the draft communication must be provided to the DNR for review and approval prior to sending.

JCI/Tyco must collect samples from the potable wells for analysis for 36 PFAS as soon as possible after receiving permission to sample from a resident. JCI/Tyco must compare results to the Cycle 11 recommended standards and notify residents and the DNR of the results in accordance with Wis. Admin. Code § NR 716.14.

By June 30, 2021, JCI/Tyco must complete a comprehensive evaluation of the potable well data using Cycle 11 recommended standards and present this in their Potable Well Sampling Program Summary Report (Report). In that evaluation, JCI/Tyco must identify potable wells not yet sampled for all 36 PFAS, but where PFOA + PFOS² were detected at concentrations at or greater than 2 parts per trillion (ppt) in previous sampling. JCI/Tyco must provide additional written communications to those residents within 2 weeks of submitting the Report, and the communications must satisfy the requirements listed above.

JCI/Tyco shall incorporate these required actions and outcomes into their Long-Term Potable Well Sampling Plan that is updated every six months. For any resident whose potable well has not been tested for all 36 PFAS, JCI/Tyco must continue to provide communications that satisfy the requirements listed above when contacting the resident to set up sampling. The schedule for sampling can be in accordance with the Long-Term Sampling Plan once the requirements listed above are met.

The DNR appreciates your efforts to protect public health at these sites. If you have any questions, please contact me, the DNR Project Manager, at (608) 622-8606 or Alyssa.Sellwood@wisconsin.gov.

Sincerely,



Alyssa Sellwood, PE
Complex Sites Project Manager - Remediation & Redevelopment Program
Central Office

cc: Christine Haag, DNR (via email: Christine.Haag@wisconsin.gov)
Kyle Burton, DNR (via email: Kyle.Burton@wisconsin.gov)
Bridget Kelly, DNR (via email: bridgetb.kelly@wisconsin.gov)
Brita Kilburg-Basnyat, DHS (via email: brita.kilburgbasnyat@dhs.wisconsin.gov)

² PFOA = Perfluorooctanoic acid
PFOS = Perfluorooctanesulfonic acid